

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION

CALVIN WELSEY,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action: 6:23cv00012
)	
CITY OF LYNCHBURG,)	
)	
Defendants.)	

ANSWER

Defendant, City of Lynchburg (hereinafter “the City”), by counsel, responds to the allegations in the Complaint as follows:

1. The City denies the allegations in paragraph 1 of the complaint.
2. With regard to paragraphs 2, 3, and 4 of the Complaint, the City admits that this court has jurisdiction over the allegations in complaint and that venue is proper in this court.
3. The City lacks knowledge or information sufficient to determine the truth of allegations in paragraph 5 and therefore deny those allegations.
4. The City admits the allegations in paragraph 6, 7, 8, and 9 of the complaint.
5. The City lacks knowledge or information sufficient to determine the truth of allegations in paragraph 10 and therefore deny those allegations.
6. For its answers to paragraphs 11-72 of the Complaint the City adopts as its own, and incorporates herein by reference, the answers of Officers Reed, Bryant, and Rowland to those paragraphs as if set out here in their entirety.
7. The City denies the allegations in paragraphs 73-80 of the Complaint.

8. The City denies the allegations in paragraphs 81-98 of the Complaint.
9. The City denies the allegations in paragraphs 99, 100, and 101 of the complaint.
10. The City admits the allegations in paragraphs 102 of the complaint.
11. The City denies the allegations in paragraphs 103-109 of the complaint.
12. The allegations in paragraphs 110-134 of the complaint do not pertain to the City and therefore require no response from the City. To the extent a response is required the City denies the allegations.
13. The City denies the allegations in paragraphs 135-196 of the complaint.
14. The allegations in paragraphs 197-2543 of the complaint do not pertain to the City and therefore require no response. To the extent a response is required the City denies those allegations.
15. The City denies all allegations in the complaint not expressly admitted herein.
16. The City denies that it is indebted or liable to the plaintiff for the amounts or reasons set forth in the complaint or any other amounts or reasons whatsoever.
17. The City cannot be held liable under the allegations in the complaint for the actions of its employees.
18. The City is immune from liability by virtue of the doctrines of sovereign and/or governmental immunity.
19. The complaint fails to state a claim for which relief can be granted against the City.

CITY OF LYNCHBURG

By: /s/ Jim H. Guynn, Jr.

Jim H. Guynn, Jr. (VSB #22299)
Matthew J. Schmitt (VSB# 96513)
GUINN WADDELL P.C.
415 S. College Avenue
Salem, VA 24153
Phone: 540-387-2320
Fax: 540-389-2350
Email: jimg@guynnwaddell.com
Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that I have this 31st day of May, 2023, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system.

/s/ Jim H. Guynn, Jr.